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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,613	01/27/2004	In Kwon Jeong	INK-001	1365
30139	7590	09/13/2006	EXAMINER	
WILSON & HAM 2530 BERRYESSA ROAD PMB: 348 SAN JOSE, CA 95132			WILSON, LEE D	
			ART UNIT	PAPER NUMBER
			3723	

DATE MAILED: 09/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/765,613	JEONG, IN KWON	
	Examiner LEE D. WILSON	Art Unit 3723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-38 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 10/18/04&5/9/05.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. The Election Restriction is withdrawn because the applicant has stated on the record that the method and apparatus are not distinct and therefore are the same. The claims will be examined and both inventions will be treated as the same non distinct invention.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 7-8, 10-14, 17-21, 24-26, and 29-38 are rejected under 35 U.S.C. 102(e ) as being anticipated by Doi et al (2004/0009738A1).

Doi et al disclose the invention as claimed in claims 1-5, 7-8, 10-14, 17-18, 24-26, and 29. Doi et al disclose an apparatus and method having and teaching a first, second, and third polishing surfaces (34 a-c) with carriers (38a-c), loading and unloading cups ( 35 a-b), a wafer transfer device (30a).

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4. Claims 1-5, 7-8, 10-14, 17-18, 24-26, and 29-38 are rejected under 35 U.S.C. 102(e) as being anticipated by White et al (6626744).

White et al disclose the invention as claimed in claims 1-5, 7-8, 10-14, 17-18, 24-26, and 29. Doi et al disclose an apparatus and method having and teaching a first and second surfaces (118) with carriers (124&125), loading and unloading cups (166&172), a wafer transfer device (162).

5. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Jeong (6942545).

Jeong disclose the invention as claimed in claims 1-3.

6. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamashita (5924916).

Yamashita discloses the invention as claimed in claims 1-8.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 6, 9, 15-16, 22-23, and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doi et al (2004/0009738A1) in view of Bowman et al (6309279).

- a. Doi et al discloses the claimed invention except for a vertically moving robot and four or more polishing surfaces.

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- b. Bowman et al discloses a apparatus and method having and teaching a vertically moving loading and unloading cups (82) and four or more polishing surfaces which allows the loading and unloading cups to have vertical movement four or more polishing surfaces configured to serve multiple workpieces.
- c. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the Doi et al device by providing vertically moving loading and unloading cups as well as four or more polishing surfaces as taught by Bowman et al which allows the loading and unloading cups to have vertical movement four or more polishing surfaces configured to serve multiple workpieces.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The 892 form discloses prior art being made of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEE D. WILSON whose telephone number is 571-272-4499. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH HAIL can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ldw

September 8, 2006



LEE D. WILSON  
PRIMARY EXAMINER